

# House Amendment 1177

PAG LIN

1 1 Amend House File 282 as follows:  
1 2 #1. Page 4, by inserting after line 5 the  
1 3 following:  
1 4 <Sec. \_\_\_\_\_. Section 481A.130, subsection 1,  
1 5 unnumbered paragraph 1, Code 2005, is amended to read  
1 6 as follows:  
1 7 In addition to the penalties for violations of this  
1 8 chapter and chapters 350, 461A, 481B, and 482, or for  
1 9 committing trespass as defined in section 716.7 while  
1 10 hunting, fishing, or trapping, a person convicted of  
1 11 unlawfully selling, taking, catching, killing,  
1 12 injuring, destroying, or having in possession any  
1 13 animal, shall reimburse the state for the value of  
1 14 such as follows:>  
1 15 #2. Page 5, by inserting after line 6 the  
1 16 following:  
1 17 <Sec. \_\_\_\_\_. Section 481A.134, Code 2005, is amended  
1 18 to read as follows:  
1 19 481A.134 AUTHORITY TO CANCEL, SUSPEND, OR REVOKE  
1 20 LICENSE == POINT SYSTEM.  
1 21 The department shall establish rules pursuant to  
1 22 chapter 17A providing for the suspension or revocation  
1 23 of licenses issued by the department. The rules may  
1 24 include procedures for summary cancellation of a  
1 25 license based on documentation that the licensee  
1 26 failed to pay the applicable fee for the license. For  
1 27 purposes of determining when to suspend or revoke a  
1 28 license issued by the department under this section,  
1 29 the department shall adopt a point system pursuant to  
1 30 chapter 17A for the purpose of weighing the  
1 31 seriousness of violations of the provisions of this  
1 32 chapter or chapter 481B, 482, 483A, 484A, or 484B, or  
1 33 of committing trespass as defined in section 716.7  
1 34 while hunting, fishing, or trapping. The weighted  
1 35 scale may be amended from time to time as experience  
1 36 dictates.  
1 37 Sec. \_\_\_\_\_. Section 481A.135, subsections 2, 3, and  
1 38 4, Code 2005, are amended to read as follows:  
1 39 2. A person who pleads guilty or is convicted of a  
1 40 violation of any provision of this chapter or chapter  
1 41 481B, 482, 483A, 484A, or 484B, or trespass as defined  
1 42 in section 716.7 while hunting, fishing, or trapping,  
1 43 while the person's license or licenses are suspended  
1 44 or revoked is guilty of a simple misdemeanor if the  
1 45 person has no other violations within the previous  
1 46 three years which occurred while the person's license  
1 47 or licenses have been suspended or revoked.  
1 48 3. A person who pleads guilty or is convicted of a  
1 49 violation of any provision of this chapter or chapter  
1 50 481B, 482, 483A, 484A, or 484B, or trespass as defined  
2 1 in section 716.7 while hunting, fishing, or trapping,  
2 2 while the person's license or licenses are suspended  
2 3 or revoked is guilty of a serious misdemeanor if the  
2 4 person has one other violation within the previous  
2 5 three years which occurred while the person's license  
2 6 or licenses have been suspended or revoked.  
2 7 4. A person who pleads guilty or is convicted of a  
2 8 violation of any provision of this chapter or chapter  
2 9 481B, 482, 483A, 484A, or 484B, or trespass as defined  
2 10 in section 716.7 while hunting, fishing, or trapping,  
2 11 while the person's license or licenses are suspended  
2 12 or revoked is guilty of an aggravated misdemeanor when  
2 13 the person has had two or more convictions within the  
2 14 previous three years which occurred while the person's  
2 15 license or licenses have been suspended or revoked.>  
2 16 #3. Page 5, by inserting after line 29 the  
2 17 following:  
2 18 <Sec. \_\_\_\_\_. Section 716.7, subsection 2, paragraph  
2 19 a, Code 2005, is amended to read as follows:  
2 20 a. Entering upon or in property without the  
2 21 express permission of the owner, lessee, or person in  
2 22 lawful possession with the intent to commit a public  
2 23 offense, to use, remove therefrom, alter, damage,  
2 24 harass, or place thereon or therein anything animate

2 25 or inanimate, or to hunt, fish or trap on or in the  
2 26 property, including the act of taking or attempting to  
2 27 take a wild animal as defined in section 481A.1 which  
2 28 is on or in the property by a person who is outside  
2 29 the property. This paragraph does not prohibit the  
2 30 unarmed pursuit of game or ~~fur-bearing~~ fur-bearing  
2 31 animals by a person who lawfully injured or killed the  
2 32 game or fur-bearing animal which ~~come~~ comes to rest on  
2 33 or ~~escape~~ escapes to the property of another.

2 34 Sec. \_\_\_\_\_. Section 716.8, subsection 1, Code 2005,  
2 35 is amended to read as follows:

2 36 1. Any person who ~~knowingly~~ trespasses upon the  
2 37 property of another commits a simple misdemeanor.

2 38 Sec. \_\_\_\_\_. Section 716.8, Code 2005, is amended by  
2 39 adding the following new subsection:

2 40 NEW SUBSECTION. 5. A person who commits a  
2 41 trespass as defined in section 716.7, subsection 2,  
2 42 paragraph "a", and takes a wild animal, as defined in  
2 43 section 481A.1, shall also be subject to civil  
2 44 penalties as provided in sections 481A.130 and  
2 45 481A.131. An animal taken by a person while  
2 46 committing such a trespass shall be subject to seizure  
2 47 as provided in section 481A.12.>

2 48 4. By renumbering as necessary.

2 49

2 50

3 1

3 2 

---

HORBACH of Tama

3 3 HF 282.502 81

3 4 av/pj/2508